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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

Chapter 11

**NOTICE OF HEARING RE  
OMNIBUS OBJECTION OF USACM  
TRUST TO PROOFS OF CLAIM  
BASED UPON INVESTMENT IN  
BUNDY CANYON (\$2.5 MILLION)  
LOAN**

Date of Hearing: August 30, 2011

Time of Hearing: 10:30 a.m.

Estimated Time For Hearing: 10 minutes

**THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM  
THAT YOU FILED. TO THE EXTENT YOUR CLAIM IS BASED UPON AN  
INVESTMENT IN THE BUNDY CANYON (\$2.5 MILLION) LOAN, THE USACM  
TRUST IS SEEKING TO DISALLOW YOUR CLAIM IN PART AND ALLOW  
YOUR CLAIM IN PART. THE TRUST IS REQUESTING AN ORDER  
DISALLOWING 80% OF YOUR CLAIM AND ALLOWING THE REMAINING  
20% OF YOUR CLAIM.**

**THIS OBJECTION WILL NOT IMPACT YOUR CLAIM TO THE  
EXTENT IT IS BASED UPON AN INVESTMENT IN A DIFFERENT LOAN.**

1        **PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY**  
2        **COURT TO DISCUSS THE MERITS OF YOUR CLAIM. QUESTIONS**  
3        **REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM**  
4        **SHOULD BE DIRECTED TO BRANT FYLLING AT SIERRA GROUP**  
5        **CONSULTING, LLC (602-424-7009) OR TO UNDERSIGNED COUNSEL, JOHN**  
6        **HINDERAKER (520-629-4430).**

7        **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust, by and  
8        through its counsel, has filed its Omnibus Objections to Proofs of Claim Based in Whole  
9        or in Part Upon Investment in the Bundy Canyon (\$2.5 Million) Loan (with Certificate of  
10       Service) (the "Objection"). Your Proof of Claim number and other information regarding  
11       your claim is provided in **Exhibit A**, attached to the Objection. The USACM Liquidating  
12       Trust has requested that this Court enter an order, pursuant to section 502 of title 11 of the  
13       United States Code (the "Bankruptcy Code") and Rule 3007 of the Federal Rules of  
14       Bankruptcy Procedure (the "Bankruptcy Rules"), disallowing 80% of your claim and  
15       allowing the remaining 20% of your of claim to the extent it is based upon an investment  
16       in the Bundy Canyon (\$2.5 Million) Loan. The Objection will not impact your claim to  
17       the extent it is based upon an investment in a different loan.

18       **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held  
19       before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal  
20       Building, 300 Las Vegas Blvd. South, 3<sup>rd</sup> Floor, Courtroom No. 1, Las Vegas, Nevada on  
21       **August 30, 2011, at the hour of 10:30 a.m.**

22       **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON AUGUST**  
23       **30, 2011 WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND**  
24       **SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE**  
25       **HEARD ON THAT DATE.**  
26

1       **NOTICE IS FURTHER GIVEN** that pursuant to Local Rule 9014(d), any  
2       response to the objection must be filed and service must be completed no later than  
3       **fourteen (14) days** preceding the hearing date. The opposition must set forth all relevant  
4       facts and any relevant legal authority.

5       If you object to the relief requested, you *must* file a **WRITTEN** response to this  
6       pleading with the Court. You *must* also serve your written response on the person who  
7       sent you this notice.

8       If you do not file a written response with the Court, or if you do not serve your  
9       written response on the person who sent you this notice, then:

- 10           • The Court may *refuse to allow you to speak* at the scheduled hearing; and  
11           • The Court may *rule against you* and sustain the objection without formally  
12           calling the matter at the hearing.

13       Dated: July 27, 2011.

14                               LEWIS AND ROCA LLP

15                               By s/ John Hinderaker (AZ 18024)

16                               Robert M. Charles, Jr., NV 6593

17                               John Hinderaker, AZ 18024 (*pro hac vice*)

18                               3993 Howard Hughes Parkway, Suite 600

19                               Las Vegas, Nevada 89169

20                               E-mail: JHinderaker@lrlaw.com

21                               Attorneys for the USACM Liquidating Trust

22       Copy of the foregoing mailed by first  
23       class postage prepaid U.S. Mail on  
24       July 27, 2011 to all parties listed on  
25       Exhibit A attached to the objection.

26                               LEWIS AND ROCA LLP

s/ Matt Burns

                             Matt Burns, Paralegal